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6
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION

10 UNITED STATES OF AMERICA,)	No. CR 06-70285 RS
)	
11 Plaintiff,)	STIPULATION, WAIVER AND
12 v.)	[PROPOSED] ORDER CONTINUING
)	HEARING AND EXCLUDING TIME
13 HUGO NORATO CASTRO,)	FOR INDICTMENT
)	
14 Defendant.)	

15 The parties hereby stipulate and agree that the date currently set for preliminary hearing
16 and/or arraignment may be continued for one week from April 19, 2007 to April 26, 2007, at
17 9:30 a.m. Mr. Castro further consents to extend by one week the time for preliminary hearing
18 under Rule 5.1 of the Federal Rules of Criminal Procedure. Undersigned defense counsel
19 consulted with Mr. Castro on April 17, 2007, and he expressly agreed to this one week
20 continuance and waiver of time.

21 The purpose of the requested continuance is to permit both parties to continue their
22 investigations of the alleged offense and to facilitate the parties efforts to reach a resolution of
23 the case. The parties further agree that the intervening week may be excluded from the time
24 within which an indictment shall be filed, as the reasonable time necessary for effective defense
25 preparation under 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).

1 Dated: 4/18/07

/s/
LARA S. VINNARD
Assistant Federal Public Defender

3 Dated: 4/18/07

/s/
THOMAS M. O'CONNELL
Assistant United States Attorney

5 ~~[PROPOSED]~~ ORDER

6 Good cause appearing and by stipulation of the parties, it is hereby ordered that the date
7 for preliminary hearing and/or arraignment in the above-captioned matter shall be continued from
8 April 12, 2007 to April 19, 2007 at 9:30 a.m.

9 It is further ordered that seven additional days be excluded from the time within which an
10 indictment shall be filed under the Speedy Trial Act, as the reasonable time necessary for
11 effective preparation of counsel, pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

12 IT IS SO ORDERED.

13 Dated: 4/18/07


PATRICIA V. TRUMBULL
United States Magistrate Judge